UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
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    UNITED STATES OF AMERICA   :
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              -v-   :   1:20-cr-543-GHW
                                              :
    WAYNE J. MORGAN   :   ORDER
                                              :

                            Defendant. :
-- X

GREGORY H. WOODS, United States District Judge:

The Court requests the parties' views regarding two issues. First, the Court has identified

what it believes to be a clerical issue in the judgment entered by the Court on October 19, 2022.

Dkt. No. 119. The judgment states that Mr. Morgan pleaded guilty to "count 1 of the S1

Superseding Indictment." The Court believes that to be a clerical error, because there was no

superseding indictment. There was an S1 superseding information. Dkt. No. 22. Mr. Morgan

pleaded guilty to Count I of the indictment pursuant to a *Pimentel* letter, which described that as the

crime to which Mr. Morgan intended to plead guilty. *See* Dkt. No. 63 at 21:4-12. Accordingly, the

Court is inclined to amend the judgment so that it refers to Count I of the indictment. The Court

solicits the parties' respective views regarding whether this proposed modification of the judgment is

appropriate, and directs that the parties submit a joint letter to the Court by November 16, 2022

containing their respective positions regarding this proposed modification.

Second, the Government did not move to dismiss any open counts against Mr. Morgan

following his sentencing. The Court requests the positions of the parties regarding whether any

open count against Mr. Morgan should be dismissed. If the parties agree, the Court will indicate

that any open counts against Mr. Morgan have been dismissed in an amended judgment. The Court

requests that the parties present their respective positions on this question in the joint letter that is

to be submitted on November 16, 2022.

SO ORDERED.

Dated: November 9, 2022
New York, New York

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GREGORY H. WOODS
United States District Judge